

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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ABETH HASHIMI,

Plaintiff,

Case No.: 1:24-cv-1571 (EK) (RML)

-against-

**NOTICE OF MOTION**

BICU'S PLAYGROUND LLC and DANI PIZZA &  
REST. CORP,

Defendants.  
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**PLEASE TAKE NOTICE**, that upon the accompanying declaration of Emanuel Kataev, Esq. dated September 29, 2024, the memorandum of law in support, and all the prior papers and proceedings herein, the Defendants will move this Court, before the Hon. Eric Komitee, U.S.D.J. ("Judge Komitee"), at the United States District Court for the Eastern District of New York, 225 Cadman Plaza East, Courtroom 6G North, Brooklyn, NY 11201-1804, for an Order pursuant to Rule 41 of the Federal Rules of Civil Procedure (hereinafter referred to as "Rules" or "Rule") dismissing this case for failure to prosecute, and for such other and further relief as the Court deems just, equitable, and proper.

**PLEASE TAKE FURTHER NOTICE**, that pursuant to ¶ III(B) of the Judge Komitee's Individual Rules and Practices in Civil Cases, this motion may be made without a pre-motion conference.

**PLEASE TAKE FURTHER NOTICE**, pursuant to Rule 6 and Local Civil Rule 6.1, Plaintiff's opposition papers are due on Monday, October 14, 2024, unless otherwise ordered by this Court, and Plaintiff's reply papers in further support are due on Monday, October 21, 2024.

Dated: Jamaica, New York  
September 29, 2024

Respectfully submitted,

**SAGE LEGAL LLC**

/s/ Emanuel Kataev, Esq.

Emanuel Kataev, Esq.

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*Attorneys for Defendants*

*Bicu's Playground LLC and*

*Dani Pizza & Rest Corp.*

**VIA ECF**

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*Abeth Hashimi*

**VIA ECF**

United States District Court

Eastern District of New York

Attn: Hon. Robert M. Levy, U.S.M.J.

225 Cadman Plaza East

Courtroom 11B South

Brooklyn, NY 11201-1804